

### **Remarks/Arguments**

Claims 3 and 8 to 11 are pending. Claim 3 has been amended. New Claim 11 is supported by Example 2.

The Office Action stated: that Claims 3 and 8 to 10 are pending in this application ; and that Claims 1 to 2 and 4 to 7 have been canceled.

The Office Action stated: that acknowledgement is made of applicants' claims for foreign priority under 35 U.S.C. 119(a)-(d); and that the certified copy has been filed in parent Application No. 10/182,916, filed on 10/21/2002.

The Office Action stated: that the information disclosure statement (IDS) submitted on 1/22/2004, is in compliance with the provisions of 37 CFR 1.97; and that, accordingly, the information disclosure statement is being considered by the Examiner.

Claims 2 and 8 to 10 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

The Office Action stated that Claim 3 fails to define  $R^1$ ,  $R^2$  and  $R^3$ , thus rendering the claims indefinite. The definitions have been inserted into Claim 3.

The Office Action stated that, in as much Claim 3 does not define  $R_3$ , claims 8 to 10 improperly recite the definition of  $R_3$  as defined. This matter is now moot.

The Office Action stated, also note that  $R^1$ ,  $R^2$  and  $R^3$  are not very clear in the structure. A new copy of formula I has been inserted into Claim 3.

This rejection should be withdrawn.

Reconsideration, reexamination and allowance of the claims are  
requested.

Respectfully submitted,

9/23/04  
Date

Kara M. Armstrong  
Kara M. Armstrong  
Reg. No. 38,234

Fisher, Christen & Sabol  
1725 K St., NW, Suite 1108  
Washington, DC 20006  
Tel.: 202-659-2000  
Fax: 202-659-2015  
e-mail: FCSabol@aol.com